

08/24/00
JC914 U.S. PTO

08-28-00 A

Please type a plus sign (+) inside this box →

PTO/SB/05 (4/98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 5019.7-1

First Inventor or Application Identifier Thomas A. Cain

Title See 1 in Addendum

Express Mail Label No. EL594728845US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Specification [Total Pages 16]
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
4. Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

Assistant Commissioner for Patents
ADDRESS TO: Box Patent Application Washington, DC 20231

5. Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. Assignment Papers (cover sheet & document(s))
8. 37 C.F.R. § 3.73(b) Statement Power of (when there is an assignee) Attorney
9. English Translation Document (if applicable)
10. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
11. Preliminary Amendment
12. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. Small Entity Statement(s) Statement filed in prior application (PTO/SB/09-12) Status still proper and desired
14. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation Divisional Continuation-in-part (CIP) of prior application No: /

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 23559
(Insert Customer No. or Attach bar code label here)

or Correspondence address below

| | | | |
|---------|-----------|----------|--|
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|---------------|-----------------------------------|--------|
| Name (Print/Type) | Wei Wei Jeang | Registration No. (Attorney/Agent) | 33,305 |
| Signature | 8/24/2000 | | |
| Date | | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

JC914 U.S. PTO
08/24/00

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Attachment to PTO/SB/05 (4/98) Utility Patent Application
Transmittal

1. System and Method of Dynamic Load Balancing Across Processor Nodes

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FEE TRANSMITTAL

for FY 1999

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)436.00

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | |
| Filing Date | August 24, 2000 |
| First Named Inventor | Thomas A. Cain |
| Examiner Name | |
| Group / Art Unit | |
| Attorney Docket No. | 5019.7 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

| | |
|------------------------|--|
| Deposit Account Number | |
| Deposit Account Name | |

 Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|--------------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | 0.00 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet. | 0.00 |
| 139 130 | 139 130 | Non-English specification | 0.00 |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | 0.00 |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | 0.00 |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | 0.00 |
| 115 110 | 215 55 | Extension for reply within first month | 0.00 |
| 116 380 | 216 190 | Extension for reply within second month | 0.00 |
| 117 870 | 217 435 | Extension for reply within third month | 0.00 |
| 118 1,360 | 218 680 | Extension for reply within fourth month | 0.00 |
| 128 1,850 | 228 925 | Extension for reply within fifth month | 0.00 |
| 119 300 | 219 150 | Notice of Appeal | 0.00 |
| 120 300 | 220 150 | Filing a brief in support of an appeal | 0.00 |
| 121 260 | 221 130 | Request for oral hearing | 0.00 |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | 0.00 |
| 140 110 | 240 55 | Petition to revive - unavoidable | 0.00 |
| 141 1,210 | 241 605 | Petition to revive - unintentional | 0.00 |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | 0.00 |
| 143 430 | 243 215 | Design issue fee | 0.00 |
| 144 580 | 244 290 | Plant issue fee | 0.00 |
| 122 130 | 122 130 | Petitions to the Commissioner | 0.00 |
| 123 50 | 123 50 | Petitions related to provisional applications | 0.00 |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | 0.00 |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | 0.00 |
| 146 760 | 246 380 | Filing a submission after final rejection (37 CFR § 1.129(a)) | 0.00 |
| 149 760 | 249 380 | For each additional invention to be examined (37 CFR § 1.129(b)) | 0.00 |
| Other fee (specify) _____ | | | 0.00 |
| Other fee (specify) _____ | | | 0.00 |
| SUBTOTAL (2) (\$) <u>81.00</u> | | SUBTOTAL (3) (\$) <u>0.00</u> | |

* Reduced by Basic Filing Fee Paid

Complete (if applicable)

| | | | | | |
|-------------------|---|--------------------------------------|--------|-----------|-----------|
| Name (Print/Type) | Wei Wei Jeang | Registration No. (Attorney/Agent) | 33,305 | Telephone | 855-7510 |
| Signature |  | | | Date | 8/24/2000 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas A. Cain et al.

Application No.: To Be Determined Group No.: To Be Determined
Filed: 08/24/2000 Examiner: To Be Determined
For: System and Method of Dynamic Load Balancing Across Processor Nodes

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL594728845US
Date of Deposit 08/24/2000

I hereby state that the following *attached* paper or fee

Utility Patent Application Transmittal
Utility Patent Application (16 pages)
Drawings (3 pages)
original Declaration and Power of Attorney
Statement Claiming Small Entity Status
Assignment
Assignment Recordation Cover Sheet
Fee Transmittal
Check No. 13868 for \$40.00
Check No. 13869 for \$426.00
Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Vikki R. Colvin



Signature of person mailing paper or fee